IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17023 of 2004

Between:

1 Chintakula Yesu, S/o. Chandraiah,
R/o. Alamuru Village & Mandal, East Godavari District.
2 Kudupudi Subrahmanyam, S/o. Chinappa Rao,
R/o. Alamuru Village & Mandal, East Godavari District.
3 Anusuri Nagaraju, S/o. Tatabhai,
R/o. Alamuru Village & Mandal, East Godavari District.
4 Katta Durga, W/o. Srinu,
R/o. Alamuru Village & Mandal, East Godavari District.
5 Vasamsetty Ramakrishna, S/o. Peddabhai,
R/o. Alamuru Village & Mandal, East Godavari District.
6 Gattula Durga, W/o. Anjaneyulu,
R/o. Alamuru Village & Mandal, East Godavari District.
7 Kadiam Dhanalakshmi, W/o. Satyanarayana,
R/o. Alamuru Village & Mandal, East Godavari District.
8 Goganamalla Mariamma, W/o. Yakab,
R/o. Alamuru Village & Mandal, East Godavari District.
9 Keta Raghava, S/o. Venkatrao,
R/o. Alamuru Village & Mandal, East Godavari District.
10 Manupuri Venkatalakshmi, W/o. Venkateswarulu,
R/o. Alamuru Village & Mandal, East Godavari District.
11 Surriddy Satyanarayana, S/o. Chellaiah,
R/o. Alamuru Village & Mandal, East Godavari District.
12 Sannangi Satyavathi, W/o. Satyanarayana,
R/o. Alamuru Village & Mandal, East Godavari District.
13 Gattula Chantamma, W/o. China Satyam,
R/o. Alamuru Village & Mandal, East Godavari District.
14 Napta Venkat Reddy, S/o. Bangariah,
R/o. Alamuru Village & Mandal, East Godavari District.
15 Gada Yesu, S/o. Tataiah,
R/o. Alamuru Village & Mandal, East Godavari District.
16 Nasamsetty Srinu, S/o. Tatabhai,
R/o. Alamuru Village & Mandal, East Godavari District.

17 Vasamsetty Talupulamma, W/o. Venkanna,
R/o. Alamuru Village & Mandal, East Godavari District.
18 Bakka Satyavathi, W/o. Srini,
R/o. Alamuru Village & Mandal, East Godavari District.
19 Amaladasu Bodaiah, S/o. Tallaiah,
R/o. Alamuru Village & Mandal, East Godavari District.
20 Machagiri Anjali, W/o. Srinivas,
R/o. Alamuru Village & Mandal, East Godavari District.
21 Anusuri Satyavathi, W/o. Lakshmaiah,
R/o. Alamuru Village & Mandal, East Godavari District.
22 Gada Srinu, S/o. Suryarao,
R/o. Alamuru Village & Mandal, East Godavari District.
23 Gada Jeevaratnam, S/o. Nagaiah,
R/o. Alamuru Village & Mandal, East Godavari District.
24 Gada Pedabbulu, S/o. Govind,
R/o. Alamuru Village & Mandal, East Godavari District.
25 Setty Manga, W/o. Srinivasu,
R/o. Alamuru Village & Mandal, East Godavari District.
26 Madda Saibaba, S/o. Kamaraju,
R/o. Alamuru Village & Mandal, East Godavari District.
27 Gattula Yedukondalu, S/o. Adiramulu,
R/o. Alamuru Village & Mandal, East Godavari District.
28 Ottiyanu durga, S/o. Musalaiah,
R/o. Alamuru Village & Mandal, East Godavari District.
29 Surampudi Mariratnam, W/o. China Satyanarayana,
R/o. Alamuru Village & Mandal, East Godavari District.
30 Moturi Venkatalakshmi, W/o. Srinu,
R/o. Alamuru Village & Mandal, East Godavari District.

..... PETITIONER(S)

AND

1 Government of Andhra Pradesh, Mandal Revenue Officer
Alamuru Village & Mandal, East Godavari District, Rep. by its Mandal Revenue Officer.
2 District Collector East Godavari District.
At Kakinada, East Godavari District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order direction or writ particularly one in the nature of Writ of mandamus or any other appropriate writ declaring the action of the respondents in evicting the petitioners from the plots allotted to them by the respondents vide proceedings No.B/180/02 dated 28-9-2003 is wholly illegal, arbitrary and without jurisdiction and consequently direct

the respondents to permit the petitioners herein to continue in the above said plots by duly constructing the pucca houses.

Counsel for the Petitioners : MR.SORAM PRABHAKAR REDDY

Counsel for the Respondents :GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER:

No cause of action arises to entertain the writ petition on mere apprehension of the petitioners that the respondents are trying to dispossess them. However, to quell the misgivings of the petitioners, since they are all granted patta certificates, which are filed along with the writ petition, the respondents cannot evict the petitioners from the lands, which were in their possession, without following the due procedure, as long as the said patta certificates are not cancelled

The writ petition is dismissed accordingly.

A. GOPAL REDDY, J

September 22, 2004
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To:

1 The Mandal Revenue Officer, Government of Andhra Pradesh, Alamuru

Village & Mandal, East Godavari District
2 District Collector East Godavari District.
At Kakinada, East Godavari District.
3 Two C.C.s to the G.P for Revenue,
High Court Buildings, Hyderabad (OUT).
4 Two C.D. Copies.

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 17023 of 2004

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22nd SEPTEMBER, 2004